

My comments are submitted regarding the Localism Notice of Proposed Rulemaking (the "NPRM") released on January 24, 2008 in MB Bocket No. 04-233.

I have very serious concerns that the proposed rules will affect First Amendment rights. I urge that these rules NOT be adopted.

1. These rules will force radio stations - particularly Christian radio stations - to take advice from "community members" who do not share their values. The NPRM's proposed requirement regarding an advisory board would impose such an unconstitutional restriction. If religious broadcasters declined to take the advice from such "community members," they would face the very real potential of increased harassment, complaints, and even challenges - perhaps loss of - their licenses. In order to avoid this potential, they would have to compromise their values. For example, pressure could be brought to bear to require them to broadcast messages on any number of issues contrary to the Christian message at the core of the radio station's mission statement, all because of those with an agenda in opposition to Christianity claim such messages "represent" the community or that the broadcaster ignored such advisory board's advice. Such advisory board requirement would be tantamount to requiring a church or other religious organization have those opposed to the beliefs of the organization on the church or organization board. This proposed rule would have an unconstitutional chilling effect on First Amendment rights. The First Amendment prohibits the government, including the FCC, from dictating a broadcaster's viewpoints. Rules that would lead to that type of unconstitutional interference, such as the ones proposed, should not be adopted.

2. The people of this country are entitled to choose the viewpoints or messages they wish to hear. The FCC MUST NOT turn every radio station into a forum where every one has the right to demand his or her message be heard on a radio station dedicated to the contrary message. Moreover, to impose a rule which would require this would, again, impermissibly chill a broadcaster's First Amendment rights because it would require a broadcaster, who pays all the costs of the broadcasting, to broadcast a message with which the broadcaster has a

conscientious objection. It would again force a broadcaster to present a viewpoint it otherwise would not present, a clear violation of First Amendment rights. Chilling one message over others is not in the public interest. The public is entitled to a choice, to choose what they want to hear. Along with that goes the right to consistently hear that message, and not to have to either listen to a viewpoint contrary to closely held beliefs or be constantly finding a radio station to which they can listen in the interim. I read books by choice because of the message, I watch TV by choice because of a message -- if I have chosen a radio station because of a message, as a member of the listening public I do not want to be bombarded with messages I find objectionable because the FCC has imposed this obligation on the broadcaster to air the message I find objectionable. In this market place of ideas, those messages will have their own broadcasters to which people who embrace those viewpoints can listen. The reverse holds true, too. People listen to broadcasting compatible with their viewpoints and the public interest requires that people's listening preferences be honored. People who do not adhere to the Christian message certainly do not want broadcasters who program with that viewpoint in mind to suddenly have to take the advice of Christian advisory board members, or to have to become the forum for Christian beliefs and messages to which they object.

3. I also object to any requirements that would impose an obligation of a Christian broadcaster to reveal specific editorial decision-making information. Choice of programming -- especially religious programming -- is not properly dictated by any government agency and proposals regarding forced reporting on such things would intrude on constitutionally protected editorial choices.

4. I also object to the proposed two-tiered renewal process. There can be no doubt but that religious broadcasters would face the harassment of falling in the class of applications to be reviewed by the Commissioners, with the concomitant delay and expense, simply because they would face the most criticism by not compromising their mission statements in

complying with the rules to which I have objected above, along with other complaints by groups intent on harrassing the message of Christianity by any means even if their complaints have no basis. This type of rule could be an unwarranted weapon to silence Christian radio one station at a time.

5. Finally, in these days of down economic times, all small broadcasters, whether Christian broadcasters or otherwise, face exceptional challenges to keep in operation. It makes no sense to impose rules that would drastically raise expenses, making smaller market broadcasters unable to stay in business. Requiring staff presence whenever a station is on the air and further restricting main studio location choices would do just that. Curtailing service is contrary to the public interest.

Encouraging the viability of a broader range of programming content is clearly in the best interest of a public committed to a market place of ideas. Requirements that would make it hard for one segment of that market place of ideas to continue to exist -- namely the Christian message -- would seriously undermine the preservation of a full market place.

Finally, I wish to say that there are so many negative influences in society today. As my children were growing up, we listened to Christian radio AS MUCH for the ABSENCE of messages they were too young to hear as for the Christian content. If the rules discussed above are adopted, and Christian broadcasters either can no longer stay in business or are forced, at risk of losing their license or having the renewal application tied up in lengthy challenges, then there will cease to be the "safe haven" which families need to anchor their children in strong moral values before being bombarded with the negative societal influences. With non-Christian stations, a parent never knows one song from the next what might be broadcast. A parent never knows what "activist" group might be sponsoring an ad, or what viewpoint might be espoused by the disc jockey next. Children need to eventually be exposed to all sort of ideas in the market place, but not as young children too young to handle the information. Christian

broadcasting is one such very safe harbor. I urge the FCC not to adopt rules that will in any way jeopardize that haven, whether by financially squeezing Christian broadcasting out of existence or by forcing idea and content to be broadcast that invade that safe harbor. The public interest urgently needs such a safe harbor to continue not just to exist, but to flourish.